

**STATE OF NEVADA
BOARD OF EXAMINERS
FOR
LONG TERM CARE ADMINISTRATORS
PUBLIC HEARING IN THE COMPLAINT AGAINST BARBARA LAWRENCE
RESIDENTIAL FACILITY ADMINISTRATOR, LICENSE NO. 5781, CASE NO. 35829
AND
QUARTERLY BOARD MEETING
9:30 A.M.
THURSDAY, AUGUST 17, 2006
DESERT ARIAL PROPERTIES
4600 KIETZKE LANE
BUILDING "T", ROOM 204
RENO, NV 89502
775-825-5311**

DRAFT OF MINUTES

1. THE MEETING WAS CALLED TO ORDER BY MARGARET MCCONNELL, CHAIRPERSON, AT 9:40 A.M.
2. TERRY PEDROTTI, EXECUTIVE SECRETARY CALLED THE ROLL AND A QUORUM WAS PRESENT.

BOARD MEMBERS:

MARGARET MCCONNELL
DONNA ROSE
CAROL SALA
TERRY CLODT

MARY ELLEN WILKINSON
DOUGLAS R. SINCLAIR
ARNOLD GREENHOUSE, M.D.

STAFF:

DIANNA HEGEDUIS, ESQ., CHIEF DAG – LAS VEGAS

TERRY PEDROTTI, EXECUTIVE SECRETARY

GUESTS:

KEITH MARCHER, ESQ., SR. DAG – CARSON CITY
KAY PANELLI, CHIEF ELDER RIGHTS, DAS
DEBORAH BAGNATO, BLC – CARSON CITY
PATRICIA CHAMBERS, BLC – CARSON CITY

BARBARA BARRETT, NEVADA DAS
SALLY RAMM, ESQ. – DAS
JENNIFER DUNAWAY, BLC – CARSON CITY

- 4.** SECRETARY/TREASURER'S REPORTS – DONNA ROSE:

A. THE DRAFT OF THE MINUTES OF THE BOARD MEETING HELD ON MAY 25, 2006 HAD BEEN PREVIOUSLY DISTRIBUTED TO THE BOARD MEMBERS. THERE WERE NO CORRECTIONS, ADDITIONS OR DELETIONS. MS. ROSE REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ACCEPT THE MINUTES AS WRITTEN. MARY ELLEN WILKINSON SECONDED THE MOTION. NO DISCUSSION FOLLOWED AND THE MOTION WAS CARRIED.

B. NET WORTH REPORT AS OF JUNE 30, 2006;

C. FOURTH QUARTER REPORT;

D. FINANCIAL COMPARISON REPORT.

MARY ELLEN WILKINSON ASKED IF THE FOURTH QUARTER REPORT FROM THE CPA SHOULD ALSO BE INCLUDED IN THE MOTION TO ACCEPT THE FINANCIAL REPORTS AS PRESENTED. THE ANSWER WAS YES. MS. WILKINSON MOVED TO ACCEPT THE FINANCIAL REPORTS AS PRESENTED. ARNOLD GREENHOUSE SECONDED THE MOTION. MARGARET MCCONNELL CALLED ATTENTION TO THE INCREASE IN INCOME THAT IS COMPATIBLE WITH THE HISTORICAL BIENNIAL INCREASE IN LICENSE RENEWALS. NO FURTHER DISCUSSION OCCURRED, AND THE MOTION WAS CARRIED.

5. ADMINISTRATIVE REPORT – TERRY PEDROTTI:

A. COPY OF THE ANNUAL SUMMARY LICENSEE ACTIVITY REPORT THAT IS SENT TO THE LEGISLATIVE COUNSEL BUREAU WAS PRESENTED;

B. THE DAG'S OFFICE RECEIVED A NOTICE OF FORMER LICENSEE'S CONVICTION, AND IT WAS BEING PROVIDED FOR INFORMATIONAL PURPOSES ONLY; DIANNA HEGEDUIS, CHIEF DAG, DOWNLOADED NRS CHAPTER 622 (ITEM 5(c)) AND REQUESTED THAT THE BOARD MEMBERS BE ADVISED OF THE CONTENTS. IT WAS COPIED AND DISTRIBUTED TO EACH BOARD MEMBER.

- 6.** ADMINISTRATOR LICENSES ISSUED – *FINAL BOARD APPROVAL REQUIRED:*

A. NFA LICENSES:

1. ALBRECHTSEN, TYLER
2. HOBBS, PATRICK K.
3. ROUGEUX, BRIAN

MARGARET MCCONNELL ASKED IF ALL REQUIREMENTS HAD BEEN MET – THEY HAD BEEN - AND REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO APPROVE ALL OF THE ABOVE LICENSES. DOUGLAS SINCLAIR SECONDED THE MOTION, AND IT WAS CARRIED

B. RFA LICENSES:

1. BASALLO, MA. THERESA
2. DALCHER, GARY D.
3. DALCHER, JOVE
4. GARCIA, VICTOR P.
5. MONZON, ELEANOR
6. MUNN, PENNY J.
7. RATLIFF, REBECCA L.
8. SPANGLER, SHALENE E.
9. WEISS, SCOTT D.

ALL REQUIREMENTS HAD BEEN MET AND MS. MCCONNELL REQUESTED A MOTION. DOUGLAS SINCLAIR MOVED TO APPROVE ALL OF THE ABOVE LICENSES. ARNOLD GREENHOUSE SECONDED THE MOTION. THE MOTION WAS CARRIED.

C. INACTIVE REQUESTS:

1. GOVE, ALAN, RFA
2. MCCORMICK, MICHAEL, NFA

THE LICENSEES PROVIDED THE REQUIRED DOCUMENTATION AND FEES. MARY ELLEN WILKENS ON MOVED TO ACCEPT THE REQUESTS FOR INACTIVE STATUS. ARNOLD GREENHOUSE SECONDED THE MOTION, AND THE MOTION WAS CARRIED.

D. THERE WERE NO APPLICATIONS IN QUESTION.

UNFINISHED BUSINESS:

B. BLC BACKGROUND CHECK PROGRAM – TERRY PEDROTTI REPORTED THAT TO HER KNOWLEDGE THERE HAD BEEN NO PROGRESS OR LACK THEREOF. DEBBIE BAGNATO FROM BLC WAS PRESENT AND STATED THAT SHE WOULD ARRANGE TO HAVE THE LATEST INFORMATION FORWARDED VIA E-MAIL TO THE BOARD OFFICE.

C. ARCHIVES OF RECORDS – TERRY PEDROTTI STATED THAT ISSUE HAD BEEN RESOLVED. MS. PEDROTTI PREPARED A SUMMARY OF PROCEDURES FOR MAINTAINING, RETAINING AND DISPOSING OF RECORDS AFTER CHECKING WITH THE RECORDS AND DISPOSITION DIVISION OF THE STATE LIBRARY AND ARCHIVES. THEY STATED THAT MOST RECORDS NEED TO BE RETAINED FOR NO MORE THAN THREE (3) YEARS, AS LONG AS THOSE RECORDS HAVE BEEN BACKED UP ON COMPUTER DISCS. SOME LEGAL DOCUMENTS MUST BE MAINTAINED FOR SIX (6) YEARS. ALL DOCUMENTS AND DATA BASES FOR THIS BOARD ARE BACKED UP WEEKLY AND THE BACKUP DISC IS DISTRIBUTED IN THREE (3) GEOGRAPHIC AREAS FOR SAFEKEEPING. THE EXCEPTION BEING MINUTES OF BOARD MEETINGS THAT ARE TO BE SENT TO THE STATE ARCHIVES AND MAINTAINED THERE FOR POSTERITY. ALL OTHER RECORDS CAN BE DISPOSED OF BY SHREDDING AFTER THE RETENTION PERIOD HAS ELAPSED. TWENTY-ONE BOXES OF OLD EXPIRED LICENSES, FINANCIAL RECORDS, MISCELLANEOUS CORRESPONDENCE, ETC., HAVE BEEN DISPOSED OF BY SHREDDING BY A STATE CONTRACTOR WHO ISSUED A CERTIFICATE OF DISPOSITION.

8.** NEW BUSINESS:

A. ONLINE LICENSEE APPLICATIONS AND RENEWALS PROCEDURES – TERRY PEDROTTI REPORTED THAT DOIT, THE STATE INFORMATION SERVICES DIVISION, HAD PROMISED A PROPOSAL AND HAD NOT BEEN ABLE TO HAVE IT PREPARED FOR THE MEETING. THERE ARE SOME ISSUES THAT MUST BE ADDRESSED PRIOR TO IMPLEMENTING SUCH A PROCEDURE FOR THIS BOARD. TERRY PEDROTTI WAS ASKED TO CHECK FURTHER AND REPORT BACK AT THE NEXT BOARD MEETING.

3,** **HEARING IN THE MATTER OF THE COMPLAINT AGAINST BARBARA LAWRENCE, RESIDENTIAL FACILITY ADMINISTRATOR, LICENSE NO. 5781, CASE NO. B35829:**

DIANNA HEGEDUIS, ESQ., REPRESENTING TERRY CLODT, INVESTIGATING MEMBER FOR THE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS, INTRODUCED HERSELF.

CHARLES SPANN, ESQ., REPRESENTING BARBARA LAWRENCE WHO WAS PRESENT, INTRODUCED HIMSELF.

DIANNA HEGEDUIS, ASKED THAT CAROL SALA, ADMINISTRATOR FOR THE DIVISION FOR AGING SERVICES, BE RECUSED FROM PARTICIPATING DUE TO THE ORIGINAL COMPLAINT'S ORIGIN FROM A MEMBER OF THE DIVISION FOR AGING SERVICES. MS. HEGEDUIS ALSO ASKED THAT TERRY PEDROTTI, EXECUTIVE SECRETARY FOR THE BOARD, AT THE CONCLUSION OF THE HEARING, GO THROUGH THE PUBLIC RECORD, BLACK OUT AND REDACT ALL SOCIAL SECURITY NUMBERS, DATES OF BIRTH AND LAST NAMES OF INDIVIDUALS INVOLVED. THIS IS IN AN EFFORT TO RETAIN CONFIDENTIALITY OF ALL CONCERNED.

MS. HEGEDUIS STATED THAT AFTER A DISCUSSION WITH MR. SPANN, HE WANTED TO OFFER A SETTLEMENT TO THE BOARD .

MR. SPANN STATED THAT AFTER DUE CONSIDERATION OF THE STATE'S BEST INTERESTS AND MS. LAWRENCE'S BEST INTERESTS, THEY WISHED TO OFFER THAT MS. SHARON UHLIG, LICENSED ADMINISTRATOR FOR BEEHIVE HOMES IN WELLS, NV, BE HIRED TO BECOME CO-ADMINISTRATOR FOR THE FACILITIES OWNED BY MS. LAWRENCE IN ELKO, NV AND PAID BY MS. LAWRENCE. MS. UHLIG WOULD BE IN CHARGE, SUPERVISING MS. LAWRENCE'S ACTIVITIES DURING THE PERIOD DECIDED UPON AND WOULD ASSUME FULL RESPONSIBILITY. IF THERE WERE NO INFRACTIONS DURING THE SPECIFIED PERIOD OF TIME (MR. SPANN SUGGESTED SIX (6) MONTHS), MS. UHLIG WOULD STEP DOWN AND MS. LAWRENCE WOULD BECOME SOLE ADMINISTRATOR AGAIN. IF THERE SHOULD BE ANY INFRACTIONS, THEY WOULD BE DEALT WITH IN ACCORDANCE WITH THE BOARD'S NORMAL COURSE OF EVENTS.

MR. SPANN URGED THE BOARD TO ACCEPT THE PROPOSAL

MS. HEGEDUIS CALLED JENNIFER DUNAWAY, REPRESENTATIVE FROM THE BUREAU OF LICENSURE AND CERTIFICATION (BLC), TO DISCUSS SUCH A PROPOSAL FROM A REGULATORY POINT OF VIEW, SINCE HER OFFICE WOULD BE ONE OF THE FIRST TO APPEAR AT THE FACILITIES.

JENNIFER DUNAWAY OPPOSED THAT RECOMMENDATION BECAUSE THE BLC'S COMPLAINT INVESTIGATION SUBSTANTIATED NEGLECT AND VERBAL ABUSE OF THE ELDERLY. MS. DUNAWAY STATED SHE FELT THAT BARBARA LAWRENCE SHOULD NOT BE PERMITTED TO PERFORM ANY CAREGIVING DUTIES IN HER FACILITY(IES), BECAUSE SHE HAS DEMONSTRATED SHE CANNOT COMPLY WITH THE STATUTES AND APPEARS TO BE UNWILLING TO TAKE RESPONSIBILITY AS AN ADMINISTRATOR.

MR. SPANN ASKED MS. DUNAWAY IF THERE WERE ANY OBSTACLES THAT WOULD PREVENT MS. LAWRENCE FROM PERFORMING AS CO-ADMINISTRATOR.

MS. DUNAWAY RESPONDED THAT THE CODE ALLOWS THE APPOINTMENT OF AN ACTING ADMINISTRATOR AND AN OWNER OF A FACILITY TO HIRE AN ADMINISTRATOR.

MS. HEGEDUIS ASKED MS. DUNAWAY TO DESCRIBE THE VIOLATIONS AS TO SEVERITY OR CRIMINAL.

MS. DUNAWAY RESPONDED THAT THEY RANGED FROM NOT INSURING THAT A FIRE ALARM WAS FUNCTIONING PROPERLY T.;NOT CLOSING A DOOR TO PREVENT A RESIDENT FROM LEAVING; TO VERBAL ABUSE AND TO ALLOWING A NEWLY HIRED CAREGIVER TO NEGLECT 9 OR MORE RESIDENTS. ALSO, MS. LAWRENCE HAS NOT COMPLIED WITH THE STATUTES REGARDING BACKGROUND AND REFERENCE CHECKS.

MR. SPANN COMMENTED THAT MS. DUNAWAY WAS GIVING HER POSITION ON THIS ISSUE, BUT THAT THE BOARD HAD NOT HAD THE OPPORTUNITY TO HEAR THE REBUTTAL TO THOSE ALLEGATIONS FROM MS. LAWRENCE.

MARGARET MCCONNELL ASKED IF MS. DUNAWAY'S RECOMMENDATION WAS REVOCATION OF BARBARA LAWRENCE'S LICENSE. JENNIFER DUNAWAY RESPONDED "YES" THAT IT WAS.

DIANNA HEGEDUIS THEN CALLED BARBARA BARRETT, DIVISION FOR AGING SERVICES (DAS) REPRESENTATIVE. MS. HEGEDUIS ASKED MS. BARRETT IF DAS WOULD BE IN FAVOR OF THE PROPOSAL BY MR. SPANN. MS. BARRETT'S RESPONSE WAS "NO". THOSE KINDS OF VIOLATIONS HAVE OCCURRED OVER THE YEARS AND SHE FEARED THAT THEY WOULD BE REPEATED. ALSO, SHE FEARED THAT IT WOULD BE VERY DIFFICULT TO DETERMINE WHO WOULD BEAR THE ULTIMATE RESPONSIBILITY FOR ANY INFRACTIONS THAT WOULD OCCUR AND WHETHER THEY WOULD BE MONITORED AND CREDIBLY FOLLOWED THROUGH.

MARGARET MCCONNELL ASKED MS. BARRETT IF THE DIVISION FOR AGING SERVICES RECOMMENDED REVOCATION OF MS. LAWRENCE'S LICENSE. HER RESPONSE WAS "YES".

DIANNA HEGEDUIS STATED THAT SHE AND THE INVESTIGATING BOARD MEMBER DISCUSSED THE SETTLEMENT OFFER WITH PRESENT COUNSEL AND WOULD LIKE TO SEE SOME MODIFICATIONS. THEY WOULD ASK THAT MS. LAWRENCE BE SUSPENDED FOR SIX (6) MONTHS AND NOT HAVE A CO-ADMINISTRATOR, BUT HAVE A NEW ADMINISTRATOR. IT WAS ALSO BELIEVED THAT THERE WOULD BE POTENTIAL PROBLEMS WITH HER BEING A CAREGIVER AS WELL. THERE WERE SOME OTHER CHANGES THAT WOULD HAVE TO COME BACK BEFORE THE BOARD FOR APPROVAL. ALSO, THAT MS. LAWRENCE SURRENDER ALL OF HER LICENSES FOR ALL OF THE OTHER HOMES THAT ARE NO LONGER IN EXISTENCE. THAT IS AN OBLIGATION THAT SHE HAS BY STATUTE. SHE ALSO HAS NOT RETURNED LICENSES TO BLC AS WELL. IF THE BOARD IS WILLING TO ACCEPT THIS SETTLEMENT, THERE ARE MANY ISSUES THAT WOULD NEED TO BE LOOKED AT DESPITE THE NEED FOR THESE TYPES OF HOMES IN NEVADA, SPECIFICALLY IN RURAL AREAS: I.E., QUALITY OF CARE PROVIDED; QUALITY OF SUPERVISION; QUALITY OF TRAINING; SEVERITY OF CHARGES; NUMEROUS VIOLATIONS OVER A PERIOD OF TIME; AND THE RESPONSIBILITY OF THE LICENSEE IN PROVIDING THE PROPER QUALITY OF CARE. ALSO, THAT FULL RESPONSIBILITY WOULD LIE WITH SHARON UHLIG RATHER THAN WITH BARBARA LAWRENCE, AND THAT SHE NOT BE ALLOWED TO WORK AS A CAREGIVER IN THE FACILITY(IES) DURING THE SUSPENSION PERIOD.

KEITH MARCHER, ACTING COUNSEL FOR THE BOARD, STATED THAT UNTIL MS. LAWRENCE STATES FOR THE RECORD THAT SHE ACCEPTS THE SETTLEMENT OFFER, THE BOARD CANNOT ACT ON THE MODIFIED VERSION OFFERED BY DIANNA HEGEDUIS.

MR. MARCHER REQUESTED CLARIFICATION OF THE ISSUES UNDER CONSIDERATION:

MS. HEGEDUIS RECOMMENDATION WAS SIX (6) MONTHS SUSPENSION. AT THE CONCLUSION OF THE 6 MONTHS, MS. LAWRENCE WOULD HAVE HER LICENSE RETURNED TO HER WITH CONDITIONS.

MR. SPANN STATED THAT MS. LAWRENCE WAS WILLING TO ACCEPT THE ORIGINAL PROPOSAL, AND IF THE BOARD DID NOT APPROVE IT, SHE WOULD ACCEPT THE SIX-MONTH SUSPENSION. THERE WAS STILL NO CERTAINTY THAT SHARON UHLIG WOULD ACCEPT THE RESPONSIBILITY FOR THE ENTIRE SIX (6) MONTHS WITHOUT CONSULTING HER. ALSO, HE REQUESTED CONSIDERATION OF THE FACT THAT DURING SUSPENSION, IF MS. LAWRENCE WERE NOT PERMITTED TO WORK AS A CAREGIVER, IT WOULD CREATE A FINANCIAL HARDSHIP FOR HER. IF IT IS A QUESTION OF CONTINUING EDUCATION UNITS THAT MUST BE COMPLETED DURING THE SUSPENSION PERIOD OR OTHER CONDITIONS MET, HE THOUGHT SHE WOULD AGREE TO IT.

MR. MARCHER WENT ON TO EXPLAIN THAT WHEN THE SUSPENSION IS LIFTED, WHAT SHE DOES WITH RESPECT TO SHARON UHLIG WOULD BE MS. LAWRENCE'S DECISION. MR. MARCHER THEN ASKED MS. HEGEDUIS IF THERE WERE CERTAIN CONDITIONS TO BE MET DURING THE SUSPENSION PERIOD.

MS. HEGEDUIS STATED THAT CONTINUING EDUCATION WOULD BE NECESSARY, SUCH AS: "HOW TO BE A TRAINER", ANGER MANAGEMENT; LACK OF COOPERATION; "HOW TO BE AN ADMINISTRATOR".

MR. MARCHER STATED THAT THE NUMBER OF HOURS MUST BE SPECIFIC SO THAT MS. LAWRENCE MUST COMPLETE THOSE HOURS PRIOR TO LIFTING THE SUSPENSION.

MR. SPANN REQUESTED INFORMATION ON THE TYPES OF CONTINUING EDUCATION COURSES AVAILABLE THAT WOULD QUALIFY, AND IF THERE WOULD BE SOMEONE WHO WOULD APPROVE THOSE COURSES FOR MS. LAWRENCE. HE WENT ON TO STATE THAT SHE WOULD BE WILLING TO ACCEPT THAT CONDITION.

MR. MARCHER EXPLAINED THERE ARE CLASSES AVAILABLE FOR THE ISSUES CONFRONTING MS. LAWRENCE, BUT SUGGESTED THAT BEFORE SHE WOULD ENROLL, SHE SHOULD HAVE THE CLASSES APPROVED BY A QUALIFIED MEMBER OF THE BOARD.

IN THE INTEREST OF TIME, MR. MARCHER SUGGESTED THAT SOMEONE MOVE TO ACCEPT OR REJECT THE INITIAL SETTLEMENT OFFER. IF THAT WERE ACCEPTED, THEN CONDITIONS COULD BE DISCUSSED. IF IT WERE REJECTED, MOVE ON TO THE SECOND SUGGESTED OPTION. IF THAT WERE APPROVED, THEN SPECIFICS COULD BE DISCUSSED. A SHORT DISCUSSION FOLLOWED.

DOUGLAS SINCLAIR MOVED TO REJECT THE SETTLEMENT PROPOSAL BY MR. SPANN AND THE SETTLEMENT PROPOSAL PRESENTED BY DIANNA HEGEDUIS FOR A SIX-MONTH SUSPENSION WITH CONDITIONS. ARNOLD GREENHOUSE SECONDED THE MOTION. THERE WAS NO DISCUSSION AND THE MOTION WAS CARRIED.

DIANNA HEGEDUIS STATED THAT THE HEARING WOULD PROCEED.

MARGARET MCCONNELL, CHAIRPERSON, REQUESTED A 15-MINUTE BREAK AT 10:55 A.M.

THE MEETING WAS RESUMED AT 11:05 A.M. AND MS MCCONNELL REQUESTED THAT THE HEARING BEGIN.

DIANNA HEGEDUIS REQUESTED THAT THE BOARD CONSIDER ONE OTHER PROPOSAL FOR SETTLEMENT – MR. SPANN HAD ACCEPTED REVOCATION OF MS. LAWRENCE'S LICENSE FOR ONE YEAR. AT THE CONCLUSION OF THE YEAR, MS. LAWRENCE WOULD COME BACK BEFORE THE BOARD, REAPPLY FOR HER LICENSE AS THOUGH SHE WERE A NEW APPLICANT, AND WILLING TO PAY A FINE OF \$2,500.00 DURING THE REVOCATION PERIOD FOR THE PURPOSE OF THE BOARD'S RECOUPING SOME OF THE LEGAL AND INVESTIGATIVE COSTS. ADDITIONALLY, DURING THAT ONE-YEAR PERIOD, MS. LAWRENCE WOULD NOT WORK AS A CAREGIVER IN HER FACILITY, AND WOULD PARTICIPATE IN THE CLASSES SUGGESTED.

MR. SPANN AGREED THAT WAS THE SETTLEMENT OFFER AGREED TO BY COUNSEL FOR CONSIDERATION BY THE BOARD. HE OPPOSED THE SUGGESTION THAT SHE NOT BE ALLOWED TO WORK IN OTHER FACILITIES, AS THAT WOULD JEOPARDIZE HER FINANCES SEVERELY. MR. SPANN WENT ON TO STATE THAT MS. LAWRENCE PLANS TO CLOSE THE REMAINING FACILITY AND WILL NO LONGER OWN IT. HE ALSO STATED THAT IT IS POSSIBLE THAT MS. LAWRENCE WILL NOT REAPPLY FOR A LICENSE AT THE CONCLUSION OF THAT YEAR.

MARGARET MCCONNELL EXPLAINED THAT WHILE THIS BOARD CAN OVERSEE ADMINISTRATOR LICENSES, IT CANNOT DICTATE AN INDIVIDUAL'S OTHER EMPLOYMENT. MS. MCCONNELL THEN REQUESTED A MOTION. MARY ELLEN WILKINSON MOVED TO ACCEPT THE PROPOSAL FOR REVOCATION OF BARBARA LAWRENCE'S ADMINISTRATOR LICENSE FOR ONE YEAR COMMENCING IN THIRTY (30) DAYS, SEPTEMBER 16, 2006. DOUGLAS SINCLAIR SECONDED THE MOTION. DONNA ROSE REQUESTED INFORMATION AS TO WHEN ALL OF MS. LAWRENCE'S LICENSES WILL BE SURRENDERED. COUNSEL STATED THAT WOULD OCCUR WITHIN 30 DAYS OF RECEIVING "THE ORDER". NO FURTHER DISCUSSION OCCURRED AND THE MOTION WAS CARRIED.

DIANNA HEGEDUIS RESTATED THE PROPOSAL:

REVOCATION OF THE LICENSE FOR ONE YEAR WILL TAKE EFFECT IN THIRTY DAYS, ON SEPTEMBER 16, 2006;
ALL RESIDENTS ARE TO BE MOVED FROM THE FACILITY BY SEPTEMBER 15, 2006 UNLESS SHE FINDS ANOTHER ADMINISTRATOR TO TAKE OVER THE FACILITY;
THE \$2,500.00 REPRESENTING THE INVESTIGATING FEES ARE TO BE PAID BY MS. LAWRENCE OVER A PERIOD OF ONE YEAR TO TERRY PEDROTTI'S ATTENTION AT THE BOARD'S OFFICE;
IF THE FACILITY HAS NOT CHANGED OWNERS, MS. LAWRENCE IS PROHIBITED FROM WORKING IN THAT FACILITY; AND
ALL ADMINISTRATOR LICENSES ARE TO BE SURRENDERED TO THE BOARD'S OFFICE.

MARGARET MCCONNELL CLOSED THE HEARING.

THE BOARD MEETING RESUMED WITH AGENDA ITEM

7.** A. NGEC PROPOSAL FOR RC/AL PRELICENSURE TRAINING. MARGARET MCCONNELL EXPLAINED THAT PATTI SWAGER HAD REVISED THE BUDGET PROPOSAL DOWN TO A MANAGEABLE FIGURE FOR ONE YEAR TO BE SHARED AMONG THE BLC, DAS AND THIS BOARD. MS. MCCONNELL REQUESTED A MOTION. A QUESTION WAS ASKED ABOUT WHO WOULD RECEIVE THE REVENUE FROM THE CHARGES TO THE APPLICANTS. THE FEES WOULD BE PAID TO THE BOARD. MARY ELLEN WILKINSON MOVED TO ACCEPT THE BUDGET PROPOSAL BY PATTI SWAGER OF NGEC FOR ONE YEAR AND REVIEW THE PROGRAM FOR FINANCIAL IMPLICATIONS EACH YEAR. DONNA ROSE SECONDED THE MOTION. THE MOTION WAS CARRIED. MARGARET MCCONNELL TOLD THE BOARD THAT EITHER PHYLLIS MILITELLO OF NGEC OR PATTI SWAGER WOULD ATTEND THE NEXT MEETING TO REPORT ON THE PROGRAM'S PROGRESS.

8. NO NEW BUSINESS WAS DISCUSSED.

9. DIANNA HEGEDUIS REPORTED SHE HAD HEARD FROM THE ATTORNEY IN THE GOVERNOR'S OFFICE WHO REQUESTED MORE INFORMATION, AND THAT THE BDR WAS BEING REVIEWED THIS MORNING. MS. HEGEDUIS FELT THAT THERE WAS POSITIVE PROGRESS BEING MADE.

10. PUBLIC COMMENTS:

DEBBIE BAGNATO OF BLC REPORTED THAT SHE WOULD BE PRESENTING AT THE NATIONAL REGULATORY BODY FOR ASSISTED LIVING, "AFTA", REGARDING LIFEIN RESIDENTIAL FACILITIES AND TALKING ABOUT BLC'S PILOT FOR THE GRADING SYSTEM THAT BLC HOPES TO IMPLEMENT IN THE NEAR FUTURE.

MS. BAGNATO EXPLAINED THE PROCEDURE BEING EMPLOYED BY BLC FOR KEEPING THE BOARD ADVISED OF PROBLEMS THAT OCCUR IN LONG TERM CARE FACILITIES. BLC ADVISES THE BOARD OF THE PROBLEM(S), OBTAINS A PLAN OF CORRECTION AND SENDS A COPY TO THE BOARD FOR INFORMATION TO THE FILE. THE OBJECTIVE BEING TO HOPEFULLY EDUCATE THE FACILITY, CORRECT THE PROBLEMS AND TRY TO GET THEM INTO COMPLIANCE, SO AS TO NOT CLOSE THE FACILITY DOWN. MS. BAGNATO ASKED HOW THE BOARD WOULD PREFER TO BE INFORMED – HOW WOULD IT BENEFIT THE BOARD?

DIANNA HEGEDUIS REQUESTED THAT THE INFORMATION SHOULD BE SENT TO THE BOARD OFFICE, BUT WOULD NOT WANT ALL OF THE BOARD MEMBERS TO RECEIVE ANY OF THE INFORMATION TO KEEP THE MEMBERS FROM BECOMING CONTAMINATED IF THE ISSUE WOULD REQUIRE DISCIPLINARY ACTION.

MARGARET MCCONNELL EXPLAINED THAT WHILE BLC IS THE REGULATORY AGENCY FOR THE FACILITY, THIS BOARD IS THE REGULATORY AGENCY FOR THE LICENSEE/ADMINISTRATOR, AND THE BOARD CAN STEP IN AND ACT FOR THE LICENSEE. ANYTIME BLC ENCOUNTERS AN ISSUE, THE BOARD OFFICE SHOULD BE INFORMED THROUGH THE EXECUTIVE SECRETARY, AS WELL AS DAS. THEN A RECOMMENDATION CAN COME FROM THE LEGAL COUNSEL AS TO WHETHER AN INVESTIGATION IS IN ORDER

A QUESTION WAS RAISED AS TO WHETHER THE IMPLEMENTATION OF THE NEW AIT PROCEDURE THAT WAS APPROVED RECENTLY WAS GOING TO GO FORWARD. DONNA ROSE ASKED THAT THE ITEM BE PLACED ON THE AGENDA FOR THE NEXT MEETING, AND SHE WOULD BE PREPARED TO ADDRESS IT.

MARY ELLEN WILKINSON ALSO ASKED THAT THE CEU REVIEW PROCESS BE PLACED ON THE AGENDA FOR THE NEXT MEETING IN AN EFFORT TO STANDARDIZE THE PROCEDURE ALONG THE METHOD USED BY NAB.

11.** THE BOARD RECEIVED A REQUEST FROM AN NFA APPLICANT TO HAVE THE BOARD REVIEW HIS BACKGROUND PRIOR TO COMPLETING THE APPLICATION AND PAYING THE FEES TO DETERMINE IF HE WOULD BE ACCEPTED AS A LICENSEE, PROVIDED ALL OTHER CONDITIONS WERE MET. HE IS LACKING A 4-YEAR COLLEGE DEGREE, BUT HAS WORKED AS A NURSING FACILITY ADMINISTRATOR FOR 20 OR MORE YEARS, AND IS PRESENTLY LICENSED IN TWO OTHER STATES. THE BOARD DISCUSSED THE ISSUE AT LENGTH AND DETERMINED THAT THIS APPLICANT AND OTHER APPLICANTS MEETING THOSE CRITERIA WOULD BE ACCEPTED. ARNOLD GREENHOUSE MOVED TO ACCEPT THE APPLICATION OF EDWARD HANNIE, WAIVING THE 4-YEAR COLLEGE DEGREE, AND ONCE ALL OTHER REQUIREMENTS ARE MET, ISSUE THE LICENSE. THE MOTION WAS SECONDED BY DOUGLAS SINCLAIR, AND IT WAS CARRIED.

12.** AFTER CONSULTING THEIR CALENDARS, THE BOARD MEMBERS AGREED THAT TUESDAY, NOVEMBER 28, 2006, WOULD BE MUTUALLY CONVENIENT, AT 9:30 A.M. IN LAS VEGAS FOR THE NEXT QUARTERLY MEETING. DIANNA HEGEDUIS SUGGESTED THE ATTORNEY GENERAL'S CONFERENCE ROOM IN THE GRANT SAWYER BUILDING. TERRY PEDROTTI WAS ASKED TO CONFIRM THE MEETING ROOM LOCATION.

13.** THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 12:35 P.M.

RESPECTFULLY SUBMITTED,

TERRY PEDROTTI, EXECUTIVE SECRETARY

ATTESTED:

DONNA ROSE, SECRETARY/TREASURER